

- 5 -

Remarks

This Amendment is responsive to the Office Action dated December 16, 2005. Claims 1-8 remain for consideration.

1. The parenthesis has been removed after "15" so as to cause the reference numerals to be depicted in the normal fashion. Withdrawal of this objection is requested.

2,3. The planform is described in lines 3 and 4 of page 5, indicated by reference numeral 17 in Fig. 2. In Fig. 2, the planform is a square. In Fig. 2, the planform is all of the cooler plate except for the extensions 16. While "planform" may not be a dictionary term as yet, it is common in the fuel cell patent literature. Therefore, reconsideration and withdrawal of the -112 rejection is requested.

4,5. Claims 1, 6 and 7 are rejected as obvious over Kumata et al (Kumata). Claim 1 as filed, before being amended, is defined over Kumata in three ways.

The "fluid passageway (38)" referred to in the middle of page 3 of the rejection does not "form inlet and outlet manifolds to permit coolant flow between cooler plates." Reference to Fig. 11 of Kumata illustrates that the holes 38 in the sealant 37 are not in fluid communication with the coolant channel 14, but are separated therefrom by the projecting portion 15'. The projecting portion 15' blocks any fluid from touching the holes 38, which therefore cannot be in fluid communication with anything, including the inlet and outlet openings.

Certainly, each hole 38 does not permit coolant flow between cooler plates as alleged in the rejection. In fact, there would be no flow of coolant from one coolant plate to another in Kumata. This is obvious because the coolant will enter through the pipe 31 (Abstract figure, Fig. 2) and leave through the coolant pipe 33. In each instance, the coolant will flow through the manifold cover 18a to each one of the cooler plates, flow through each individual cooler plate and then through the outlet manifold plate 18b to the pipe 33. There is no communication whatsoever from one cooler plate to another in Kumata.

- 6 -

Kumata does not disclose plural "seal assemblies, each disposed between corresponding projections of proximate cooler plates" each with a passageway connected to "said inlet and outlet openings", as called for in original claim 1.

Claim 1 as filed therefore distinguishes in three ways over Kumata. If a new rejection is applied, it should not be made final because the present rejection does not meet the language of claim 1 as originally filed.

Claim 1 has been amended simply because the showing of Kumata is instructive as to how the claim can be more expressive of the nature of the invention. However, the amendment is not required to overcome Kumata and will not necessitate a new ground of rejection, which had already been necessitated by the failure of Kumata to meet or suggest the language of original claim 1 in three important respects. Beginning in the penultimate paragraph of the rejection on page 3, much is made about the process air manifolds and air chambers, all of which are irrelevant to claim 1, as originally filed.

With respect to claim 6, the "top edge of 18a" is not a cooler plate, but a manifold cover. Kumata does not disclose any flanges on cooler plates.

With respect to claim 7, the isolation gap is between coolant manifolds that "permit coolant flow between cooler plates", which is not suggested in Kumata.

For the foregoing reasons, and particularly because Kumata does not suggest claim 1 as filed, and certainly not as amended, reconsideration and allowance of claims 1, 6 and 7 over Kumata is requested.

6. Claim 2 is rejected as obvious over Kumata in view of Donatello et al. Claim 2 is patentable as depending from claim 1 and its allowance is requested.

7. Claim 3 is rejected as obvious over Kumata in view of Rudolph. Claim 3 is patentable as depending from claim 1 and its allowance is requested.

8. Claim 4 is rejected as obvious over Kumata in view of Rudolph and in further view of Carkhuff et al. Claim 4 is patentable as depending from claim 1 and its allowance is requested.

- 7 -

9. Claim 5 is rejected as obvious over Kumata in view of Rudolph in further view of Waller et al. Claim 5 is patentable as depending from claim 1 and its allowance is requested.

10. Claim 8 is rejected as obvious over Kumata in view of Yang et al. There is nothing in either Kumata or Yang that would suggest a spacing to permit an air turn manifold between an internal coolant manifold and the edges of the fuel cells themselves. Further, claim 8 is patentable as depending from claim 1. For the foregoing reasons, reconsideration and allowance of claim 8 over the reference is hereby respectfully requested.

Should the foregoing not be deemed persuasive, a telephone call is earnestly solicited.

Respectfully submitted,



M. P. Williams
Attorney of Record
Voice: 860-649-0305
Fax: 860-649-1385
E-mail: mw@melpat.com

210 Main Street
Manchester, CT 06042

Date: February 24, 2006